

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

3 *****
4 GORDON APARTMENTS SPECIAL USE PERMIT RECOMMENDATION
5 945 & 957 WATERVLIET SHAKER ROAD
6 SKETCH PLAN REVIEW
7 *****

8 THE STENOGRAPHIC MINUTES of the above entitled
9 matter by NANCY STRANG-VANDEBOGART, a Shorthand
10 Reporter, commencing on November 17, 2015 at 7:50
11 p.m. at The Public Operations Center, 347 Old
12 Niskayuna Road, Latham, New York

13
14 BOARD MEMBERS:
15 PETER STUTO, CHAIRMAN
16 LOU MION
17 SUSAN MILSTEIN
18 CRAIG SHAMLIAN

19
20 ALSO PRESENT:
21 Kathleen Marinelli, Esq, Counsel to the Planning Board
22 Joseph LaCivita, Director, Planning and Economic
23 Development
24 Michael Tengeler, Planning and Economic Development
25 Jonathan Lapper, Esq., Bartlett Pontiff Stewart & Rhodes
Mike Tucker, PE, VHB Engineering
Chuck Voss, PE, Barton and Loguidice

1 CHAIRMAN STUTO: The next project is Gordon
2 Apartments Special Use Permit recommendation. This is
3 at 945 and 957 Watervliet Shaker Road. This is a sketch
4 plan review. This is 135 townhome style apartments in
5 17 buildings, plus five apartment units in three
6 existing buildings.

7 Joe, do you have any introduction for this?

8 MR. LACIVITA: No, this is sketch plan. We can
9 turn it right over to Jon.

10 MR. LAPPER: My name is Jon Lapper and I'm a land
11 use attorney with the firm of Bartlett Pontiff Stewart
12 and Rhodes in Glens Falls. I'm half of Gordon
13 Commercial Development. Jared Gordon is with me
14 representing Gordon. Also with me is the project
15 engineer who you know well, Mike Tucker from VHB.

16 We've had a number of discussions with Joe over
17 probably the last six months. We're focusing on
18 this project and some preliminary discussions with
19 the neighbor after the DCC meeting. Most
20 interestingly we're focusing on the number of
21 meetings with the Shaker Historical Society to get
22 their opinion and we've made some changes to the
23 project specifically as a result of what the
24 Historical Society asked for.

25 This is the Shaker Shed property that you're

1 all familiar with. The project requires a special
2 use permit from the ZBA.

3 We're here tonight to start the process with
4 sketch plan. I am going to ask Mike to go through
5 the detailed site plan. I just want to make some
6 general comments to begin.

7 In terms of what we have done to address the
8 issues that have come up so far, we are looking at a
9 shared access to make it a four-way intersection of
10 one combined access into the adjacent Afrim property
11 and will also get right into this project which will
12 facilitate two means of ingress and egress and the
13 loop road. We're also working with them to extend
14 the existing sewer line into both projects and we
15 are looking at shared access for vehicles into their
16 site and a pedestrian on the other side for
17 potential future development by somebody else on an
18 adjacent parcel.

19 In terms of the Shakers, they asked us to
20 really redo what we had started with in terms of the
21 design and use their ethic in terms of the layout
22 and to of course keep the existing Shaker buildings,
23 but also not to put something in front of them so
24 that the viewlines from the road would be there so
25 that people could see the buildings that are there.

1 We are proposing to turn one of their buildings into
2 a community building so that would be used by the
3 residents.

4 Those are really my general comments at this
5 point. We are here to listen to you, but I want to
6 ask Mike to walk us through.

7 MR. TUCKER: I'm Mike Tucker from VHB.

8 On this sheet, north is up and this is
9 Watervliet Shaker Road (Indicating). This is
10 Sandcreek Road. It's actually two parcels here -
11 945 Watervliet Shaker is about 3.5 acres. It has a
12 landlocked parcel here. This 947 Watervliet Shaker
13 and this is the rest of the site (Indicating). It
14 totals about just over 21.5 acres.

15 CHAIRMAN STUTO: Are you acquiring the landlocked
16 one too, or no?

17 MR. TUCKER: Yes, we are. That is included in the
18 project. There are actually five existing Shaker
19 buildings on the site. You can probably see on the
20 aerial that there are four. There is also a very
21 dilapidated barn that we are working on razing as part
22 of the project, but reusing and/or donating the
23 materials from that.

24 We're proposing 125 new apartment units in 17
25 buildings. The majority of the buildings are

1 eight-unit buildings. There are a couple of nine
2 units and six units and there are a couple of
3 four-unit buildings also. In three of the buildings
4 Jon had mentioned that one of them will be reused as
5 kind of a community building with a club house and
6 pool. The other three buildings which will remain
7 will be renovated and a total of five residential
8 units will be constructed.

9 These are townhome style units, each with its
10 own garage.

11 CHAIRMAN STUTO: Do you have an elevation? Is that
12 in our package or no?

13 MR. TUCKER: We don't have an elevation as of yet.
14 It's being worked on right now with the architects.

15 When we met with the Shakers they want us to
16 respect the Shaker heritage, but not try to recreate
17 a Shaker building. The architect is working on
18 those now.

19 CHAIRMAN STUTO: It obviously helps to see a visual
20 for us to see.

21 MR. TUCKER: Absolutely.

22 MR. LACIVITA: You'll have it by the 15th.

23 CHAIRMAN STUTO: It doesn't look very exciting -
24 what I'm seeing right here. I don't know what everybody
25 else thinks. Are there any greenspace areas so people

1 can share? It's just building after building - is what
2 it looks like.

3 MR. TUCKER: These shaded areas, as we were going
4 through with the Shakers - they wanted to provide some
5 public gardens or community gardens in kind of keeping
6 with the heritage, which we have shown in these shaded
7 areas. Everything else that is not shown as roadway is
8 greenspace. The site is about 52% green.

9 CHAIRMAN STUTO: I'm going to speak up because to
10 me, there is a problem when the greenspace is all
11 chopped up. It should be concentrated for people to
12 have a little more enjoyment. That's one of my major
13 comments. The layout just strikes me that way. It's
14 just so obvious.

15 MR. TUCKER: One of the discussions that we had
16 with the Shakers is that originally we provided much
17 more continuous greenspace.

18 CHAIRMAN STUTO: Can you show us a picture of that?

19 MR. TUCKER: I don't have that one. That was three
20 or four months ago. They wanted their layout on a grid
21 system similar to how they laid out their original
22 developments. We tried to provide that. It does chop
23 stuff up. It does provide a kind of discontinuance of
24 greenspace. These are relatively large area that can be
25 used for passive recreation and garden areas.

1 CHAIRMAN STUTO: How large are they?

2 MR. TUCKER: This is probably two-thirds of an
3 acre. This is one third, a third and then a half acre.
4 It's spread throughout.

5 CHAIRMAN STUTO: I don't think that's large,
6 relative to what is going on there. You want our
7 opinions and that's my feedback.

8 MR. TUCKER: So again, those buildings will be the
9 existing buildings will be renovated and reused. These
10 units, as I said, will all have separate entrances and
11 garage spaces.

12 We have been working with Afrim's and their
13 engineer. After several meeting with staff, as Jon
14 had mentioned, the main access to the site will be
15 the Afrim's driveway. In talking to the Town staff
16 we will probably bring a Town road in on their
17 property to the point where we connect. We'll have
18 a boulevard connection to their driveway and in turn
19 we're providing an emergency access to the back of
20 the property that will also be there and an
21 emergency access from their parking lot in the back
22 since these are such long lots.

23 CHAIRMAN STUTO: Does the Town want a piece of road
24 in there, Joe?

25 MR. LACIVITA: Yes.

1 MR. TUCKER: And while the projects are kind of
2 proceeding to the permitting process independently,
3 we're working together in terms of providing some plans
4 for work in the area to provide for both of these
5 projects and potentially future connections for projects
6 that are in the pipeline, kind of off the property. So,
7 there will be public sewer and water to both and they
8 will be interconnected between them, along with them
9 providing future easements for water and sewer.

10 MR. LACIVITA: I just want to reiterate one thing
11 that Mike was talking about. When they were talking to
12 the Shaker Heritage Society, we encouraged them to talk
13 with Starr there because there was that confusion of
14 what the Shakers were expecting. Section 190.31 talks
15 about historical districts. It specifically says that
16 the purpose of the historic district is to recognize the
17 importance of the Shaker Historic District and the
18 Watervliet Shaker Historic District. So, going to the
19 grid system - that's typically a Shaker design. If
20 anyone is familiar with Shaker villages -- that's why I
21 know that you're having trouble with the greenspace,
22 Peter. They went back to that design. I just want to
23 kind of redirect what you're saying.

24 CHAIRMAN STUTO: If you look at the existing Shaker
25 buildings, I don't really see it.

1 MR. TUCKER: We have done an archeological study.
2 There are the remains for about four or five other
3 buildings. When you look at the old mapping, it was
4 laid out on a grid.

5 CHAIRMAN STUTO: I'm not going to debate it. It
6 was a lot less intense, I'm sure. There was a lot more
7 greenspace. The buildings were a lot smaller. You can
8 keep saying it, but that's how I see it.

9 MR. TUCKER: We do have greenspace in the front
10 here and it will be more visible.

11 CHAIRMAN STUTO: Are you done with the
12 presentation?

13 MR. TUCKER: Yes.

14 CHAIRMAN STUTO: Chuck Voss, you're our Town
15 Designated Engineer. Do you have any comments on the
16 presentation that was made? I know that you haven't
17 formally reviewed it yet.

18 MR. VOSS: No. For sketch we haven't really delved
19 into the plans yet. However, we have spent a
20 significant amount of time working with the applicant to
21 date and the Town departments.

22 As was mentioned earlier by Michael, this
23 project is directly adjacent to the Afrim's project
24 which is the sports complex, the dome, and the five
25 outdoor fields to the west of this site. When we

1 realized that this project was coming at the same
2 time, Joe basically asked this applicant to
3 undertake some similar kind of design work with the
4 Afrim's project, which is a little bit more further
5 advanced in the site plan review process now with
6 this Board. We think that made perfect sense
7 because you now have two development projects
8 directly adjacent to each other. One is fairly
9 significant i.e. this project in terms of the
10 density.

11 The other one is relatively significant in
12 terms of its use. We have discussed this previously
13 on the Board. We felt that it was a nice
14 opportunity to get the two projects to kind of
15 potentially work together to solve a couple of
16 different problems. Those really were related to
17 traffic, access, water infrastructure and sewer
18 infrastructure. Currently, this area isn't served
19 by sewer as we know from the Afrim's project. That
20 project initially was going to look at doing their
21 own on-site septic system. With the advent of this
22 project and the potential for the two projects now
23 working in conjunction with each other, we can solve
24 a couple of different problems from a Town
25 perspective in terms of infrastructure. We can look

1 at the traffic and the transportation access points
2 and as Michael mentioned during his presentation,
3 one of the recommendations from Traffic Safety and
4 the Planning Office was to get the two projects to
5 potentially have the same access point being at a
6 controlled intersection. So, we know that Afrim's
7 proposed to upgrade the intersection here now
8 between Sandcreek and Watervliet Shaker which is a
9 three-legged intersection. With the Afrim's project
10 it will be a formed four-legged intersection
11 controlled by a light. It's the perfect opportunity
12 to now have this project, the Gordon Project, to
13 interact with that signalized intersection to add in
14 their curb cut, it will be very close to the east of
15 that. DOT and Kevin Novak took an initial look at
16 this and concurred that it made sense. Obviously,
17 they couldn't formally make comment on this because
18 they haven't seen it yet from a formal standpoint.
19 They like that idea as well so you're basically
20 sharing access onto Watervliet Shaker from a
21 controlled point. We think that works.

22 As Michael said there are some nuances to that.
23 One being that we may need to create a certain
24 stretch from a Town designated road into the site to
25 accommodate both. That's also to accommodate the

1 infrastructure. In working with Chret and the folks
2 at Pure Waters and the Latham Water District. We've
3 had two meetings now with those folks. Their
4 recommendations are that we use that for utilities
5 to serve both projects. So, now we have the
6 potential to bring municipal water into both
7 projects and loop the system through and we'll talk
8 about some of those nuances as the project develops.
9 We also have the possibility of bringing sewer into
10 the site. Currently, the sewer is further down to
11 the south. Just below the church there is a stub
12 out behind the new office building that's down there
13 by the Greek Orthodox Church. Pure Waters would
14 like to have both projects connected to the sewer.
15 They don't want to see stand-alone sewer systems on
16 either project. They also want the potential to
17 have further interconnect to that general
18 development area - around the end of the airport
19 there into the Town sewer system. So, we see the
20 potential for both projects working together as
21 being very high so that they are very beneficial to
22 both.

23 Both applicants are actually here this evening.
24 Mr. Nezaj is here. He has expressed a willingness to
25 work with the applicant. Joe basically brought both

1 sides together to get them to work on those
2 different nuances. I know from several discussions
3 that we've had already and the two design engineers
4 are now working together as well to come up with
5 some ideas. We're kind of in a hold pattern until
6 those folks - Mike and his group and Afrim and his
7 group kind of get together and bring some of those
8 design elements together. We'll see how that works,
9 but we think that it's certainly doable. As you
10 mentioned, this is in a historical area. We are
11 going to pay very much attention to the Shaker
12 heritage. We know from the Afrim's site that so far
13 they have uncovered some archeological findings on
14 their site which have affected some of their layout
15 issues. We expect that may occur on this site as
16 well. There certainly are some significant
17 structures there. We'll wait to see what we see
18 with that.

19 I think that the other issue that we took a
20 closer look at and we'll certainly take more of a
21 look at as the project develops is the overall
22 develop pattern in this general area. Joe and his
23 office can maybe speak to that as it develops more,
24 but there is a potential for sites further to the
25 north to be developed relatively soon back by the

1 Hilton Hotel and closer to the country club.

2 CHAIRMAN STUTO: The British American Company?

3 MR. VOSS: Yes. So, we're kind of looking at this
4 whole area holistically now in terms of infrastructure
5 and utilities; sewer and water. The two projects may be
6 a catalyst and can help further that effort. It's a lot
7 to look at but I think at this point we are fairly
8 comfortable that the project could move potentially
9 forward.

10 This project, as Joe was just mentioning, would
11 be considered a Type I action under SEQRA. It does
12 require a special use permit based on the current
13 layout. That's from the Zoning Board. Our
14 recommendation would be that the Planning Board be
15 lead agency for that SEQRA review which makes sense.

16 CHAIRMAN STUTO: What triggers the Type I?

17 MR. VOSS: It's the historical element.

18 So, there is a lot to consider here.

19 CHAIRMAN STUTO: Does the Board have any comments
20 or questions?

21 MR. SHAMLIAN: I understand that the elevations are
22 one of the challenges, but another challenge is going to
23 be the buildings so that it's not just a massive
24 project. You're building 175 feet long and 90 feet and
25 of that is going to be garage doors. If you look at it

1 it's going to be a mass of garage doors. From what you
2 have presented, it is a front pull-in. I understand.
3 I'm not sure aesthetically how this is all going to
4 look. It seems a little intense.

5 CHAIRMAN STUTO: We're allowed to mitigate against
6 certain things and I think that's what you're hearing;
7 more public amenities for people who are there.
8 Greenspace is where I'm at. I don't want to see
9 repetitive garage doors. It may be helpful to show with
10 Afrim's adjacent to it because that is an open site, as
11 well. I agree with Craig that it's intense.

12 Thank you.

13 MR. TUCKER: We were here to get your comments and
14 we appreciate it.

15 CHAIRMAN STUTO: Okay, thanks.

16 (There was no response.)

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19 (Whereas the above referenced proceeding was
20 concluded at 8:07 p.m.)

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CERTIFICATION

I, NANCY L. STRANG, Shorthand Reporter and
Notary Public in and for the State of New York,
hereby CERTIFY that the record taken by me at the
time and place noted in the heading hereof is a true
and accurate transcript of same, to the best of my
ability and belief.

NANCY L. STRANG

Dated _____

